

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 19, 1977
7:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
Cooke, Goodman, Himmelblau, Mullen, Trevino

Absent: None

The Invocation was given by Rev. Marvin C. Griffin, Pastor of the
Ebenezer Baptist Church.

SMALL BUSINESS WEEK

The week of May 22-28, 1977, was proclaimed Small Business Week in a
proclamation read by Mayor McClellan, recognizing small business as a vital
part of American life from the very beginning and urging all citizens to
recognize the great achievements of our nation's small business men and women.
Accepting the proclamation was W. L. "Pup" Kindle, on behalf of about 7,000
small business men in the City of Austin.

TOM SAWYER ABROAD DAY

Mayor Pro Tem Snell read a proclamation citing the eight member
theatrical cast and crew who will perform "Tom Sawyer Abroad" in a one-act
musical play on May 29, 1977, declared Tom Sawyer Abroad Day. Proceeds from
the presentation will help finance a trip for the cast and crew to represent
the Creek Theatre in the Festival of American Civic Theatres. Accepting the
proclamation with their thanks, were Willa Kay Warren, Larry Martin, Dale
Aldrich and Hugh Craig.

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for May 12, 1977. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
Cooke, Goodman, Himmelblau, Mullen, Trevino
Noes: None

APPOINTMENTS

Mayor McClellan announced that at the next Council Meeting, May 26, 1977, the Council will take action on making appointments to the Board of Equalization, three members; Planning Commission, five members; and the Electric Utility Commission, four members.

FAIR HOUSING ORDINANCE

Mayor McClellan said she had received communications from several people concerning postponement of the Fair Housing Ordinance which is scheduled for second and third readings on May 26, 1977.

Councilmember Trevino moved that the Council approve the postponement of the second and third readings of the Fair Housing Ordinance until June 2, 1977 at 2:00 p.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,
Himmelblau, Mullen, Trevino, Mayor McClellan
Noes: None

EXECUTIVE SESSION

The Mayor also announced the Council had met earlier in Executive Session but no action was taken.

SCHLOTZSKY'S SANDWICH SHOP BEER AND WINE PERMIT

MR. DOUGLAS THOMAS, President, Micardo, Inc. (Schlotzsky's) appeared before the City Council to request permission to continue the sale of beer and wine at the Dobie Mall Schlotzsky's Sandwich Shop, previous permit was granted in error. He told the Council that in November, 1973, a beer and wine license was issued to Mr. Donald S. Dissman, who owned the sandwich shop at that time. According to City authorities the license was erroneously issued because of a mistake made by the City Inspectors Department in measuring the distance from Dobie to the church. He said he was told the City would not transfer the license to his name because they were going to correct the error made in 1973. He contacted Mr. Charles Bluntzer, Assistant City Attorney, who told him the only way he could get the situation rectified was to either get a Special Permit, or to have the ordinance changed whereby the City of Austin's ordinance prohibiting

the sale of beer within 300 feet of a church, school, or public hospital could be changed by obtaining a waiver by the offended party. He cited the example of the City of Austin sound ordinance being changed recently to let someone play music inside of the 300 foot limit of a church, school, or public hospital, with permission of the offended party. Mr. Thomas said he had talked to Rev. Peter G. Shea, Pastor, St. Austin's Church, who gave him a waiver concerning the 300 foot requirement. Mr. Thomas requested the City Council to amend the Ordinance whereby the offended party can grant a waiver.

Mayor McClellan asked the City Attorney if the Council needed to instruct him to come back with a drafted amendment to the ordinance and post it for the next meeting. Mr. Harris answered that if it was the will of the Council to amend the ordinance, he would need to be instructed to bring it back on the date determined by the Council with the ordinance drafted and ready for action. Councilmember Trevino asked if this would be done administratively or if it would come back to Council again for approval. He was told that it would have to be brought back.

Motion

Councilmember Himmelblau moved that the Council instruct the City Attorney to draw up an ordinance for the May 26, 1977, meeting, amending Section 14-4 (City Code) to permit the sale of alcoholic beverages within 300 feet of a church, public elementary or high school, or hospital when permission is given by the offended party.

Friendly Amendment

After discussion Councilmember Trevino offered a friendly amendment to add that this type permit come back before the Council for approval. Councilmember Himmelblau accepted the friendly amendment.

Roll Call

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen,
Trevino, Mayor McClellan, Mayor Pro Tem Snell
Noes: None

AGENDA ITEM WITHDRAWN

The following item was withdrawn for consideration at this time:

Authorizing release of the following easement:

A Drainage Easement in Lot 1, BO's Subdivision, a subdivision in the City of Austin, Travis County, Texas. (Requested by Mr. Leonard J. Lundgren, Architect, representing Lundgren & Associates, owners of said Lot 1)

PAYMENT AUTHORIZED

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the following payment of cost difference:

BILLY C. DAVIS

- The cost difference of 12"/8" water line installed in Cooper Oaks, Section 2-A - \$3,292.28.

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman
Noes: None

F.A.A. FUNDS FOR ROAD ALIGNMENT

Councilmember Trevino moved that the Council adopt a resolution to authorize application for \$360,000 of Federal Aviation Administration funds to realign the air terminal access road. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau
Noes: None

Councilmember Cooke inquired if the City's contribution would be basically revenue generated and the City Manager replied affirmatively. In reply to Councilmember Goodman's inquiry, Mr. Davidson stated the parking lot was not included.

CONSTRUCTION CHANGE ORDER

Councilmember Himmelblau moved that the Council adopt a resolution to approve Construction Change Order Number One in the amount of \$6,758.25 to Larson-Pugh for Paving and Drainage Improvements to William Cannon Drive from Brodie Lane to Manchaca Road. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen
Noes: None

CONTRACTS AWARDED

Councilmember Trevino moved that the Council adopt a resolution awarding the following contracts:

Bid Award:

- Lamps and Lights; All City Departments.
Twelve Months Supply Agreement including extension for 12 months.

WESTINGHOUSE ELECTRIC SUPPLY - Items 1 and 2 - \$13,940.70
 9230 Research Boulevard
 Austin, Texas

CONSOLIDATED ELECTRICAL SUPPLY - Items 3, 4 and 5 - \$20,420.00
 408 East 2nd Street
 Austin, Texas

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
 Cooke, Goodman, Himmelblau, Mullen, Trevino
 Noes: None

Councilmember Trevino moved that the Council adopt a resolution awarding the following contracts:

Bid Award: - Traffic Signal Heads, Urban
 Transportation Department

TRANS-TRONICS, INC. - Item 1 - \$15,600.00
 3612 West Vickery Boulevard
 Fort Worth, Texas

AUTOMATIC SIGNAL COMPANY - Item 2 - \$17,590.00
 2715 Avenue E East, Suite 604
 Arlington, Texas

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
 Cooke, Goodman, Himmelblau, Mullen, Trevino
 Noes: None

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

AREVALO TRUCK & AUTOMOTIVE - Transfer of Seven Ambulance Boddies,
 5014 East 1st Street Vehicle & Equipment Services Department.
 Austin, Texas Item 1.1 - 7 ea. @ \$1,845.89
 Total \$12,921.23

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
 Cooke, Goodman, Himmelblau, Mullen, Trevino
 Noes: None

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

AUSTIN PAVING & EXCAVATING COMPANY 9610 Brown Lane Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM, Bull Creek Park - Parking Lot - \$10,302.50
--	---

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
Cooke, Goodman, Himmelblau, Mullen, Trevino
Noes: None

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

HAY ASSOCIATES 1845 Walnut Street Philadelphia, Pennsylvania	- Comprehensive Employee Screening and Selection Process, Personnel Dept. Approximately 9 Months Contract - \$18,000.00
--	--

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
Cooke, Goodman, Himmelblau, Mullen, Trevino
Noes: None

DALE DRIVE

Councilmember Mullen moved that the Council adopt a resolution establishing Dale Drive one-way Westbound between Burrell Drive and Lazy Lane. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,
Himmelblau, Mullen, Trevino, Mayor McClellan
Noes: None

LEASE AGREEMENTS RENEWED

Councilmember Himmelblau moved that the Council adopt a resolution to authorize renewal of two lease agreements in the Rosewood Village Shopping Center for the Health Department. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino,
Mayor McClellan, Mayor Pro Tem Snell
Noes: None

CROSSING GARDEN HOMES STREETS

Motion

Councilmember Himmelblau moved that the Council deny the dedication of private streets to the public of the "Crossing Garden Homes," a Planned Unit Development, File #C814-76-004. Councilmember Cooke seconded the motion.

Mr. Davidson, City Manager, told the Council that reports from the Planning Commission had been distributed to them and pointed out they had received three sets of Minutes, indicating this issue had been before the Planning Commission three times previously.

Roll Call

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino,
Mayor McClellan, Mayor Pro Tem Snell, Councilmember Cooke
Noes: None

Motion to Reconsider

Councilmember Mullen moved that the Council reconsider the Crossing Garden Homes street dedication in order to hear Mr. John Washam. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan,
Mayor Pro Tem Snell, Councilmembers Cooke, Goodman
Noes: None
Not in Council Chamber when roll was called: Councilmember Trevino

MR. JOHN WASHAM, developer of Crossing Garden Homes, addressed the Council by saying he was in disagreement with Mr. Davidson. This matter had been before the Planning Commission only once. Several months ago, he said, he had submitted plans of the development in which the streets had been drawn as private streets in a Planned Unit Development. As such, he continued, the developer had some leeway in construction of the streets, paving design and curb and gutter. About six months ago, the City changed their criteria to require that all streets in a Planned Unit Development must be constructed to City standards, design, inspection, etc., just like an ordinary subdivision. Mr. Washam ascertained that since their paving design is based on soil tests, width of pavement is City minimum width, curb and gutter is built to City standards, the asphalt is subject to inspection, then why should not these streets be public?

He said he went before the Planning Commission and they voted unanimously to grant him this request, if he could change the right of way from 40 feet to 50 feet. He had told the Planning Commission that he could eke out five feet, but the creek bed and topography would not allow more footage. The next section in the development would conform with all facets. He assumed someone on the staff had some serious reservations about this and therefore the Council received a list from the Engineering Department pointing out why the streets did not meet City standards. The 11 items on the list were as follows:

1. Summer Circle South, Summer Circle East, Summer Circle North, and Whitney Way have no crown and the crossfall is in excess of the standard 0.60 foot.
2. The street plans and profiles as drawn in the construction plans are drawn to non-standard scales.
3. On several vertical curves the sight distance is less than the standard minimum. These are on Summer Circle Drive, Summer Circle North, Summer Circle East, Whitney Way, and Alexis Cove.
4. Both cul-de-sacs are longer than the standard. Whitney Way is much longer.
5. Cross-slope may be excessive in the Whitney Way cul-de-sac.
6. The minimum center line radius is 200 feet for residential streets. This requirement has not been met on Whitney Way, Summer Circle East, Summer Circle Drive, Summer Circle North.
7. The interior streets do not have any sidewalks requirements designated at this time.
8. The standard setbacks of 25 feet and 15 feet for public streets have not been provided in this subdivision.
9. The standard right-of-way width of 50 feet has not been provided.
10. The street names of many of the streets are very similar and should be changed prior to dedication.
11. The on and off street parking as currently approved would require modification if the streets were dedicated.

Mr. Washam pointed out that he had been assured by Mr. Tom Mount of the City Engineering Department there was nothing on the list that was of serious consequence, and nothing they could not live with. He said he checked with other major Texas cities and found that in Houston and Dallas, Planned Unit Development streets are public. He continued that it was of no personal benefit to him to have the streets made public. When the unit is finished, the homeowners association will take over, but he was thinking of the monthly maintenance fees the owners would have to pay. They would be more if they had to maintain the streets, and since the streets had to conform to City specifications, he felt they should be made public, and maintained by the City. He felt that since part of the homeowners' taxes are going for street maintenance, this decision would be fair. He said the construction criteria and the way the streets are to be built are no different than any other subdivision in the City.

Mr. Davidson replied that there is a difference. As far as the asphalt thickness, base material, concrete used, and construction, there is no difference, but the width, right of way, and length of cul-de-sac is substandard from what the law requires. He said that although there was a difference of five feet in the width, it was a violation of the subdivision ordinance. Mr. Davidson pointed out it was not fair for Mr. Washam to imply that members of the City

approved what he proposed, because it was not so. Mr. Washam replied that if he hadn't been three-quarters of the way through his planning when the change in criteria came up, it would have complied in every respect, but at this point he would have to start over from scratch. Any subsequent development he submits, he said, would comply 100%. All he was asking for was a variance of five feet in this one instance.

Mr. Berry of the City Engineering Department told the Council that in addition to having structural standards for streets, there were also geometric standards. He went on to say the streets in question had some horizontal and vertical sight problems which do not comply with City standards. He said the street would not carry 30 m.p.h. traffic.

Mr. Lillie, Planning Director, appeared to say the unit was approved initially because it was planned to have private streets. He said there had been several meetings to discuss dedicating the streets to the City, but that it had been decided they must meet City standards. He listed the areas where the streets do not meet City standards. He told the Council that if they feel the streets should be dedicated as City streets, then the streets should meet the standards required.

Mr. Davidson pointed out to Mr. Washam that the developer he represents had come to the City and asked for certain things in order to have room for development in the area. In order to get that, they had said they would keep the streets private, and now, he said, this one application would propose to change the rules. What concerns the City, said Mr. Davidson, is that the developers would not have to answer to the citizens and taxpayers after the homes are sold, the City would, and if the City must answer, then City standards should be met...not part of the way but all of the way.

Mayor Pro Tem Snell asked if the development was at a stage where it could not be taken back to the Planning Commission. Mr. Washam reiterated the points he had already made. Mr. Davidson commented that the fact of the matter was that the street width is in violation of the City ordinance. Mr. Washam asked if there could be a variance. Mr. Jerry Harris, City Attorney, said that a variance is unfair under the Austin City Code, and it is misleading to leave the impression that there will be a variance allowed. At this point Councilmember Himmelblau stated she would have to go with her original motion. Mayor Pro Tem Snell asked Mr. Washam if he would be willing to take the plans back to the Planning Commission. Mr. Davidson said the City would be happy to work with him.

Councilmember Himmelblau moved that the Council deny the request to adopt a resolution dedicating private streets to the public of the "Crossing Garden Homes." The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau
Noes: None

PUBLIC HEARING ON I.H. 35 FRONTAGE ROAD

Mayor McClellan opened the public hearing scheduled for 7:30 p.m. on I.H. 35 Frontage Road proposed one-way operation.

Mr. Joe Ternus, Director of Urban Transportation, showed slides to illustrate the section of the frontage road which has been two-way since it was opened to traffic in 1957. The section under discussion is between Ben White and South Congress. When it was first opened, the section was in a rural area, but in recent years, there have been several subdivisions developed. He said the most critical aspect of the operation is public safety. A comparison of collisions over the frontage road in the past three years reveals there is an increasing trend in the severity of collisions. There has been a 17% increase since 1975 and 32% in 1976. The number of wrong-way collisions with bodily injuries increased 25% in 1975 and an additional 60% in 1976. During the past six years there has been an average of one fatality a year that can be contributed to two-way operation on the frontage road. In 1976 they requested the State Highway Department to change the frontage road to one-way. The Highway Department conducted two public meetings, and based on that input, plus traffic analysis, specific proposals to develop traffic flow and safety were developed. Mr. Ternus said development is recommended to occur in two stages. In the first stage the west frontage road from Ben White to Congress is recommended to be one-way southbound. The east frontage road from Congress north to St. Elmo is recommended to be one-way northbound. The section between Ben White and St. Elmo is recommended to remain two-way. The City would also improve Freidrich Lane between St. Elmo and Teri, and would provide additional traffic lanes and four-way stop controls at the intersection of Friedrich Lane and St. Elmo; and Freidrich and Teri Road. The State will also install a traffic signal at the intersection of St. Elmo and the east frontage road. These improvements would maintain or improve the current level of access to the residential areas which are served by Teri Road. In addition to converting the frontage roads to one-way, entrance and exist ramps would be constructed by the State to provide safer access from the freeway and to make it more difficult to enter the main lanes traveling in the wrong direction. The second phase of implementation would be to convert the remaining short section of the east frontage road between St. Elmo and Ben White to one-way operation. This phase would occur when Stassney Lane is extended east from I. H. 35 to its present termination and when an overpass at I. H. 35 is constructed. Major concerns that have been expressed were from residents living east of I.H. 35. They feel that access to their area would be reduced and there would be an increased traffic hazard for school children. Mr. Ternus said he found no basis for these concerns. The only alteration to travel patterns due to the one-way operation, will occur northwest of the Friedrich Lane-Teri Road intersection. Mr. Ternus concluded his report by saying the benefits of converting to one-way frontage roads are many, but the most critical is reduction of personal injury and fatality.

Mayor McClellan told Mr. Ternus that she understood that what he was requesting is City approval of the action...that it is a State facility. Mr. Ternus answered that was correct...with this action he would write the State and ask them to begin the programming of the overpass at Stassney Lane and I.H. 35.

JIM NOWITSKI, resident of the area, said he agreed with the one-way proposal for safety. But what he is mainly concerned about is the safety of children. The houses are close together, and no playgrounds for the children, so they go into the street to play. The cars speed through the area at 50 m.p.h. and the development is growing at a rapid rate.

MR. ED. M. BARKLEY, 2501 East St. Elmo, appeared and read a letter he had sent to Mayor McClellan. He stated he is opposed to the proposed one-way traffic flow restrictions on Friedrich Lane and said he thought a grade separation should be constructed at I.H. 35 and East St. Elmo to improve the traffic flow. He felt that the proposed re-arrangement would not improve the traffic flow. He urged the completion of his proposed grade separation. Councilmember Cooke said he understood there is not a proposal to create one-way traffic on Friedrich Lane. Mr. Ternus stated there is no proposal to make Friedrich Lane one-way. Mr. Barkley replied that it had been proposed at one time.

GEORGE KING, representing Southeast Austin Growing Neighborhood Association of Today, appeared before Council and passed out a report his association had compiled. He explained the congested roadways and minimum accessibility, via roads, to the subdivisions in the area. Mr. King felt the development of East Stassney Lane would be the obvious solution to their problems. They had approached the Urban Transportation Department and asked them to work with the developers in the area on this project. They were told by the Department that the City was not in the business of building roads. At one point in trying to get something done, he said he was told he should have looked before he bought a home. Based on the way the area is set up, he continued, most of the people who bought in the area were under the impression Stassney Lane was going to be completed. At this point, Mr. King showed a map indicating the traffic flow and a chart indicating population increases. He concluded by showing a chart which showed how the completion of Stassney Lane would solve the traffic flow problem.

BILL COLLINS, 1116 Echo Lane, said he sympathized with the people in the subdivisions and their problems, but every afternoon he drives down the east side of the frontage road headed south, and feels like he is going the wrong way. And for people coming off the Interstate attempting to get on the frontage road he feels is quite dangerous. He thinks that there are two problems being talked about tonight. The people on the east side of I.H. 35 do have all these problems, as do all new developments in Austin, but he felt Austin should be consistent on their frontage roads. No town other than Austin has two-way traffic on them. Mr. Collins felt there were several problems, but none could be solved by having two-way traffic on a frontage road.

MARTHA LOWER, 2104 Deadwood Drive, told the Council that she agrees with both arguments, but felt Stassney Lane was the first priority to alleviate heavy traffic in a neighborhood. She also feels the two-way traffic situation is bad, but agrees with Mr. Ternus that it has nothing at all to do with the subdivision roads. Regardless of what way people come into this neighborhood, they have to use Teri Road. It doesn't matter what direction the frontage road is, she said, you still have to come in from the north. She said she was in favor of changing the frontage road to one-way.

TRUMAN TRIECKLE, 5309 Palo Blanco, stated he disagreed with Mrs. Lower and Mr. Ternus. He felt the frontage road should not be one-way because that would mean there would be only one route to get into his neighborhood. He pointed out that all traffic would converge on one lane going south and then at the intersection of Teri Road and Friedrich Road converging with whatever traffic has come in another way. At that point motorists are aggravated and race through the area at 60-90 m.p.h. He said he agrees the two-way frontage road is dangerous, but he feels it will be traded off for something twice as dangerous. He suggests improving exit ramps so cars will not be tempted to run right off into oncoming traffic. His recommendation also included that Stassney be finished and then make the frontage road one-way. Being able to use Stassney would give motorists another way to get to their subdivision.

GLEN BERGER, 2005 Wagon Crossing Path, told the Council that the frontage road is a four-lane divided highway from St. Elmo to Ben White. He doesn't see any way it could possibly be made one-way going north because the cars would have to jog over to the left to get to Ben White. Todd Road, he continued, and Ben White intersect and all trucks going down Burleson make a 35 m.p.h. stop before shooting on through Todd Road, making it almost impossible going through there either north or south. This is a killer corner, he concluded.

HARVEY JORDEN, 6900-B Circle S Road, assured the Council of his concern about children being hit by cars because he has spent many nervous minutes chasing his own children out of the street. He feels the two-way frontage roads are out of date and should be one-way.

JOHN SHIPMAN, 2327 Deadwood, said he had chased people down into the subdivision trying to get them to slow down. In 1973, when he bought his home, he was told that Stassney Lane would be finished and there would be no traffic to speak of. There are trucks going down his street at 60 m.p.h. and Palo Blanco is used as a drag strip at 2 a.m. He asked why the development of more homes is allowed when there is such a serious problem. He feels it should be stopped until something is done about the traffic situation.

O.W. PATTON, representing G.M. Searcy Trucks and the people on the west side, said he was not opposed to one-way south. He explained the problems of his company trying to move large trucks and equipment in the area and said there has to be some way to get traffic circulated through the area. He urged the Council to hold off any action until an intense study is made of the area.

BILL MOORE, Chairman of the Urban Transportation Commission, said he has been employed in two other areas where the same sort of issue has been the concern of the citizens...that is, converting frontage roads from two-way to one-way where cities have grown up around them. In the two other cities he has been responsible for conducting both the before and after accident studies. In both cities there was a 50% to 60% reduction in total accidents on a frontage road that was converted. More importantly there was a 75% to 85% reduction in the personal injury and fatality category. He told the Council the Urban Transportation Commission recommends the following:

1. The City and State take appropriate action to establish the West frontage road from Ben White to Congress Avenue for one-way southbound traffic and the East frontage road from Congress Avenue to St. Elmo Road for one-way northbound traffic as soon as possible.

2. The State modify the ramps along I.H. 35 from Ben White Boulevard to Congress Avenue consistent with the one-way frontage road operation.
3. The City include Stassney Lane, from I.H. 35 East to the existing Stassney Lane, in the Capital Improvement Program as a highest priority project and encourage the rapid completion of Stassney Lane from Congress to I.H. 35 and from I.H. 35 to the existing street.
4. The State program the construction of Stassney Lane overpass at IH 35.

Mr. Moore lives in the area, he said, and it is the unanimous decision of the Urban Transportation Commission that these conversions be made as soon as possible.

CLYDE LEE, Professor of Civil Engineering, University of Texas, and member of the Citizen's Traffic Safety Commission, reported that their recommendations are consistent with those of Mr. Ternus. They strongly urge that the plan be commended. The plan does include the extension of Stassney Lane and he said he saw no reason for delaying the improvement of the one-way operation which will result in the saving of a number of lives through the interim period. He feels the problems of the neighborhood are not going to be effected very much by this particular change. Improvements, he feels, will far overshadow any inconvenience that will result.

MALCOLM BELISLE, 403 Battle Bend, told the Council he had been a victim of a head-on collision on the two-way frontage road. He said the two-way situation is untenable and showed a petition containing the signatures of 311 persons living in the Battle Bend area. He presented the petition to Mr. Long.

PHILLIP STEPHENS, 405 Battle Bend, has been driving the two-way frontage road for five years, and only because he knows of its existence has he been able to avoid a head-on collision. He urged the change from a two-way to a one-way frontage road.

VICKIE SCHNORBUS, 5201 Cocoa Circle, appeared before Council to say she did not think changing the roads would change the speed. As a result she is against changing the frontage road to one-way, and cited examples of two-way frontage roads in the San Antonio area.

Councilmember Cooke asked Mr. Ternus if there was another entrance for people coming from the Bergstrom area, and if we know what the traffic flow is from that area. Mr. Ternus answered the access was between St. Elmo Road and Ben White and would be to either Friedrich, or another paralleling road going east. He said he did not have a traffic flow figure. Councilmember Cooke asked how Stassney Lane completion figured in C.I.P....the cost. Mr. Ternus answered that at the present time it is not included in the C.I.P. but the two commissions have recommended that it is included in the C.I.P.; both funds for design of the facility as well as funds for construction of the facility. The City could put additional funds and buy all the right-of-way, or it could go through the normal policy...the developer provide the right-of-way and pay for the construction costs. At this point the City does not have the right-of-way into that neighborhood.

Mr. Davidson, City Manager, explained we have ordinance requirements that the property owners, as the subdivision is developed, would have to dedicate to the City of Austin a portion of the right-of-way required for the streets. In the case of recent improvements to William Cannon Drive, the City called a meeting of property owners and developers and requested that they voluntarily participate in the construction of the streets, the dedication of right-of-way in accordance with the subdivision ordinance prior to the time that they were ready to develop their subdivision. And, he continued, they agreed to do so. Mr. Davidson said the same thing had been attempted in the area under discussion about two years ago, for the areas both east and west of I.H. 35. He feels with the Commission's recommendation that the State Highway Department take care of the interchange construction, and with the recommendation that C.I.P. dollars are used, now would be a good time to attempt, again, to get the property owners and developers together and see if we can get this project under way. Councilmember Cooke asked how long it would take to complete the proposed projects. Mr. Ternus answered, that if the funds were available, it would take between two and three years, because it is a major project.

Councilmember Himmelblau asked if it would be possible to have speed bumps on Palo Blanco for the next three years. Mr. Ternus said they could be constructed, but believes it would create a worse condition on the street than they already have and does not believe the speed bumps are the appropriate answer to controlling the speed. Councilmember Mullen asked if the people in the area had discussed the situation with the Police Captain and check radar with the policemen. Mr. Davidson answered this has been done periodically. Councilmember Himmelblau said she still would like to investigate the possibility of speed bumps and asked Mr. Ternus to return with a more complete report. Councilmember Trevino asked what other traffic devices could be utilized to try to minimize the speed in the neighborhood. Mr. Ternus said he thought it would boil down to self-enforcement as well as exterior enforcement through the Police Department.

Truman Trieckle appeared again to say as citizens their hands were tied. He said he and his neighbors had taken every possible step they could think of to work with the police regarding the situation...they had written letters to the Mayor, to assistants, etc. Policemen cost money, he said, and there are just not enough of them to go around. There has been radar out there, but he pointed out the area is so wide and so open that there is no place to set up and not be seen for miles.

Malcolm Belisle returned to the rostrum to say they had put speed bumps in an area of Lubbock, Texas, and it worked very well. He felt they could do the same here. Mr. Davidson informed him they had to think of the liability of the City. Mr. Belisle asked if they could put up a flashing sign which read SPEED BUMPS. He told of instances where they had tried to stop speeders, and about one woman who had hit a child and kept on going so fast that when he tried to catch up with her, he had to really speed. He took her back to the scene of the accident, called the police, and then get into a big to-do about a citizen's arrest. The police said they could not do anything, and the woman did not receive a citation. This had happened in August of 1974, at the beginning of the development. The situation has become worse. He asked why the City cannot stop the developers from building. "You talk about the problem of not getting the builders to cooperate. If you said, all right, no more, no more houses, we're stopping right now until you help us get this street out, I'll guarantee you they are going to help you. Put a little pressure behind them."

Mr. Davidson said he agreed with him. Mr. Belisle continued, "Well, they're the ones that are causing these dump trucks and these gravel trucks and stuff to come down the street at 60 m.p.h., because they are building down there. If you stop them from building, that is going to eliminate that problem until they get Stassney through." Mr. Davidson answered they were going to try to do that.

Professor Clyde Lee returned to state he had done a lot of research on speed bumps, and while it is feasible to develop a particular bump that will respond in a particular way to a particular kind of car, almost universally the conclusion about using speed bumps is that they are not justifiable, particularly, he said, when you consider a fireman hanging on to the rear end of a fire truck hitting one of the bumps. Liabilities of speed bumps are too immense.

Jim Nowitski returned to say that speed bumps would not help because the speeders could go on another street.

Councilmember Trevno moved that the Council close the public hearing, approve the recommendations of Urban Transportation and staff, and approve giving highest priority in the C.I.P. in designating monies for the engineering design and instruct the staff to contact the State Highway Department and request they start working on the Stassney interchange; and to start working with property owners and developers in that area that they voluntarily participate in the construction of the street and the dedication of the right-of-way; and to make sure of close police patrol in the area. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino, Mayor McClellan

Noes: None

ZONINGS SET FOR PUBLIC HEARING

FIRST KEN-CO PROPERTIES, INC. By Safeway Stores, Inc. C14-77-046	8666 Spicewood Springs Road, also bounded by Barrington Oaks Drive	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
TRUDIE V. DAVIS By Steven Deutchman C14-77-047	2901-2905 South 1st Street, also bounded by El Paso Street	From "LR" Local Retail 1st Height and Area To "C" Commercial 1st Height and Area
THOMAS R. McELHENNEY By Phil Mockford C14-77-048	11803-11807 & 11716- 11720 Bell Avenue	From Interim "AA" Residence 1st Height and Area To "A" Residence 1st Height and Area
HURSCHEL B. MORGAN, ET UX By Dick Rotkosky C14-77-049	6301 Manchaca Road	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area

CLR DEVELOPMENT, INC. By C. L. Reeves C14-77-050	2508-2604 Burleson Road, 2603-2621 Metcalfe Road	From "BB" Residence 1st Height and Area To "A" Residence 1st Height and Area
ANNE VEACH By Forest Pearson C14-77-051	901-905 Rio Grande Street, also bounded by West 9th Street	From "B" Residence 2nd Height and Area To "LR" Local Retail 2nd Height and Area
KENNETH W. PITTMAN C14-77-052	11637 Research Boulevard (US 183)	From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area
STATE NATIONAL BANK OF EL PASO, TRUSTEE & INDEPENDENT EXECUTOR By Jerry Saegert C14-77-053	600-604 Davis Street, also bounded by Bierce Street	From "A" Residence 1st Height and Area To "C" Commercial 2nd Height and Area
FRANCES A. HALL By LeVaun C. Hall C14-77-054	4413 Pack Saddle Pass, also bounded by Redd Street	From "A" Residence 1st and 6th Height and Area To "O" Office 1st and 6th Height and Area
E. C. WAAGNER By Donald E. Bird C14-77-055	2201 Airport Boulevard, also bounded by Theo Drive	From "GR" General Retail 1st Height and Area To "C" Commercial 1st Height and Area
RICHARD L. MATZ & EMILE JAMAIL By Jim Ray C14-77-056	12452-12536 US 183 11936-12020 Oak Knoll Drive; 12023-12049 Jollyville Road	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
BUFORD L. McMAHAN C14-77-057	5334-5338 Duval Road	From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area
NELL WALLACE IRWIN C14-77-058	11835-11837 Old U.S. Highway 183	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
JAMES K. EICHELBERGER, JR., ET AL C14-77-059	7113 Burnet Road (Suite 109)	From "GR" General Retail 1st Height and Area To "C-1" Commercial 1st Height and Area

May 19, 1977

LYNN W. STORM
By Carl W. Burnette
C14-77-060

3811 South Lamar
Boulevard, also bounded
by Victory Lane

From "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area

PROVIDENT DEVELOPMENT
COMPANY and LARRY O.
JACKSON
By Robert L. Davis
C14-77-061

McCarty Lane

From Interim "AA" Residence
1st Height and Area
To "BB" Residence
(Tracts 1, 2, 3 & 9)
"GR" General Retail
(Tracts 4 & 6)
"B" Residence (Tract 5)
"LR" Local Retail
(Tracts 7 & 8)
1st Height and Area
(Tracts 1-3 & 5-9)
6th Height and Area
(Tract 4)

BERTRAM STORE
BUILDING
Taylor Gaines, owner
C14h-77-016

1601 Guadalupe Street

From "C" Commercial
3rd Height and Area
To "C-H" Commercial-Historic
3rd Height and Area

SMITH-SMITH HOUSE
Homer D. Smith, Jr.
owner
C14h-77-017

504 West 14th Street

From "O" Office
2nd Height and Area
To "O-H" Office-Historic
2nd Height and Area

The following is a request to amend the restrictive covenant:

UNIVERSITY CHRISTIAN
CHURCH
By Roy C. Snodgrass, III
C14-76-115

2000-2004 University
Avenue, also bounded
by West 20th Street

Request revision to site
plan

ADJOURNMENT

The Council Meeting was adjourned at 9:20 p.m.

ATTEST:

APPROVED

Carole Keeton McCallen
Mayor

Grace Monroe
City Clerk